

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:06cr119

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
v.) **FINAL ORDER AND JUDGMENT**
) **CONFIRMING FORFEITURE**
(1) THO PHUOC NGUYEN,)
)
)
Defendant.)
)

On May 7, 2007, this Court entered a Preliminary Order of Forfeiture pursuant to 21 U.S.C. § 853 and Fed. R. Crim. P. 32(d)(2), (Doc. No. 25), based upon the Defendant's plea of guilty on Count Three in the Bill of Indictment. As to that Count, Defendant was convicted of using and carrying certain firearms during and in relation to one or more drug trafficking crimes, in violation of 18 U.S.C. § 924(c).

On September 26, 2008 through October 25, 2008, the United States published via www.forfeiture.gov, notice of this forfeiture and of the intent of the government to dispose of the forfeited property according to law, and further notifying all third parties of their right to petition the Court within sixty days from September 26, 2008 for a hearing to adjudicate the validity of any alleged legal interest in the property. It appears from the record that no such petitions have been filed. Based on the record in this case, including the defendant's plea of guilty, the Court finds, in accordance with Rule 32.2(c)(2), that the Defendant had an interest in the property that is forfeitable under the applicable statute.

IT IS, THEREFORE, ORDRED, in accordance with Rule 32.2(c)(2), the Preliminary Order of Forfeiture is confirmed as final. All right, title, and interest in the following property, whether real, personal, or mixed, has therefore been forfeited to the United States for disposition according to law:

One Norinco Mak 90 rifle;

One Winchester 30-30 rifle;

One Ruger 9mm pistol;

One Rossi Interarms .38 caliber pistol;

One Remington Arms 700 rifle;

One Mossberg 9200 12-gauge shotgun;

One Marlin .22 caliber rifle;

One Remington Model 870 12-gauge shotgun;

One Smith and Wesson 9mm pistol; and

Ammunition seized on or about March 16, 2006 from 1609 Candlewood Ridge Lane, Charlotte, North Carolina.

Signed: December 18, 2008



Robert J. Conrad, Jr.
Chief United States District Judge
